

AMENDED IN SENATE APRIL 24, 2003

AMENDED IN SENATE APRIL 21, 2003

SENATE BILL

No. 991

Introduced by Senator Morrow

February 21, 2003

An act to add Section 3053.7 to the Penal Code, relating to sex offenders.

LEGISLATIVE COUNSEL'S DIGEST

SB 991, as amended, Morrow. Sex offenders: parole restrictions.

Existing law allows the Board of Prison Terms, upon granting parole to a prisoner, to impose on the parole any conditions that it deems proper. Existing law prohibits an inmate released on parole for specified sexual offenses involving victims under 14 years of age from residing within $\frac{1}{4}$ mile of any school.

This bill would ~~allow~~ *provide that* the board *shall*, as a condition of parole of an inmate who has been convicted of a sexual crime committed against a victim under 18 years of age, ~~to~~ require him or her to remain at all times at least 500 feet from, and to prohibit him or her from loitering, lingering, or remaining near, the perimeter of any school, park, shopping mall, child day care center, or other location where children congregate on a regular basis. Because a violation of this condition would subject the inmate to arrest and reimprisonment, this bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 3053.7 is added to the Penal Code, to
2 read:
3 3053.7. The Board of Prison Terms ~~may~~ *shall*, as a condition
4 of parole of an inmate who has been convicted of a sexual crime
5 committed against a victim under 18 years of age, require him or
6 her to remain at all times at least 500 feet from, and to prohibit him
7 or her from loitering, lingering, or remaining near, the perimeter
8 of any school, park, shopping mall, child day care center, or other
9 location where children congregate on a regular basis.
10 SEC. 2. No reimbursement is required by this act pursuant to
11 Section 6 of Article XIII B of the California Constitution because
12 the only costs that may be incurred by a local agency or school
13 district will be incurred because this act creates a new crime or
14 infraction, eliminates a crime or infraction, or changes the penalty
15 for a crime or infraction, within the meaning of Section 17556 of
16 the Government Code, or changes the definition of a crime within
17 the meaning of Section 6 of Article XIII B of the California
18 Constitution.

